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ORIGINAL COPY
FILED

JUN 24 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

E-filing

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

JUDITH RUFFALO

) Case No. C09-02823

ADR

SC

Plaintiff,

) COMPLAINT FOR VIOLATION
) OF FEDERAL FAIR DEBT
) COLLECTION PRACTICES ACT,
) ROSENTHAL FAIR DEBT
) COLLECTION PRACTICES ACT,
) AND INVASION OF PRIVACY

CREDITORS FINANCIAL GROUP, LLC

Defendant.

)

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for
2 Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. §
3 1692, *et seq.* (hereinafter "FDCPA"), and the Rosenthal Fair Debt Collection
4 Practices Act, Cal Civ Code § 1788, *et seq.* (hereinafter "RFDCPA"), both of
5

1 which prohibit debt collectors from engaging in abusive, deceptive, and unfair
2 practices. Ancillary to the claims above, Plaintiff further alleges claims for
3 invasion of privacy arising from intrusion upon seclusion and public disclosure of
4 private facts.

5

II. JURISDICTION

6

7 2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).

8

III. PARTIES

9

10 3. Plaintiff, Judith Ruffalo ("Plaintiff"), is a natural person, and is a
11 "consumer" as defined by the FDCPA, 15 U.S.C. § 1692a(3) and is a "debtor" as
12 defined by Cal Civ Code 1788.2(h).

13

14 4. At all relevant times herein, Defendant, Creditors Financial Group,
15 LLC, ("Defendant") was a company engaged, by use of the mails and telephone,
16 in the business of collecting a debt from Plaintiff which qualifies as a "debt," as
17 defined by 15 U.S.C. §1692a(5), and a "consumer debt," as defined by Cal Civ
18 Code § 1788.2(f). Defendant regularly attempts to collect debts alleged to be due
19 another, and therefore is a "debt collector" as defined by the FDCPA, 15 U.S.C. §
20 1692a(6), and RFDCPA, Cal Civ Code § 1788.2(c).

IV. FACTUAL ALLEGATIONS

5. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt. Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways, including but not limited to:

9
10 a). Using, or threatening to use, physical force, violence or any criminal
11 means to cause harm to the person, reputation or property of Plaintiff, including
12 leaving a threatening voicemail for Plaintiff on or about May 2009. (Cal Civ
13 Code § 1788.10(a));

15 b). Threatening that the failure by Plaintiff to pay Plaintiff's consumer
16 debt will result in an accusation that Plaintiff had committed a crime, where such
17 accusation is false leaving a threatening voicemail for Plaintiff on or about May
18 2009 implying that Plaintiff had committed a crime (Cal Civ Code § 1788.10(b));

21 c). Communicating, or threatening to communicate to a third party the
22 fact that Plaintiff has engaged in conduct, other than the failure to pay a consumer
23 debt, which Defendant knew or had reason to know would defame the debtor,
24 including communicating said information to Plaintiff's son (Cal Civ Code §
25 1788.10(c));

1 d). Falsely representing the true nature of the business or services being
2 rendered by Defendant, including implying that Defendant was involved in some
3 law enforcement or governmental agency (Cal Civ Code § 1788.13(i));
4

5 e). In connection with an attempt to collect an alleged debt from
6 Plaintiff, contacting a third party for purposes other than obtaining location
7 information (§ 1692b & § 1692c(b));
8

9 f). In connection with an attempt to collect an alleged debt from
10 Plaintiff, providing the identity of Defendant to a third party without such
11 information being expressly requested (§ 1692b(1) & § 1692c(b));
12

13 g). Disclosing to a third party the existence of the debt allegedly owed
14 by Plaintiff, including disclosing the same to Plaintiff's son (§ 1692b(2) & §
15 1692c(b));
16

17 h). Engaging in conduct the natural consequence of which is to harass,
18 oppress, or abuse Plaintiff, including, leaving Plaintiff a threatening voicemail in
19 or about May of 2009. (§ 1692d));
20

21 i). In connection with collection of a debt, using or threatening to use
22 violence or other criminal means to harm the physical person, reputation, or
23 property of Plaintiff (§ 1692d(1));
24

j). Threatening to take an action against Plaintiff that cannot be legally taken or that was not actually intended to be taken, including threatening Plaintiff with criminal legal action(§ 1692e(5));

k). Falsely representing that a legal proceeding has been, is about to be, or will be instituted unless payment of a consumer debt is made, including leaving said information in a phone message dated May, 2009 (Cal Civ Code § 1788.13(j));

1). Falsely representing or implying that Plaintiff had committed a crime or other conduct, in order to disgrace Plaintiff (§ 1692e(7));

m). Using false representations and deceptive practices in connection with collection of an alleged debt from Plaintiff (§ 1692e(10);

n). Failing to notify Plaintiff during the initial communication with Plaintiff that the communication was an attempt to collect a debt and any information obtained would be used for that purpose, including failing to disclose the same in Defendant's May, 2009 voicemail (§ 1692e(11));

o). Failing to notify Plaintiff during each collection contact that the communication was from a debt collector (§ 1692e(11));

p). Using unfair or unconscionable means against Plaintiff in connection with an attempt to collect a debt (§ 1692f);

1 q). Failing to provide Plaintiff with the notices required by 15 USC §
2 1692g, either in the initial communication with Plaintiff, or in writing within 5
3 days thereof, (§ 1692g(a)).
4

5 6. Defendant's aforementioned violations of the FDCPA and RFDCPA
6 also constitute an intentional intrusion into Plaintiff's private places and into
7 private matters of Plaintiff's life, conducted in a manner highly offensive to a
8 reasonable person. Plaintiff had a subjective expectation of privacy that was
9 objectively reasonable under the circumstances.
10

11 7. Defendant's aforementioned disclosure of facts regarding Plaintiff's
12 debt to third parties constitutes a public disclosure of a private fact not of
13 legitimate public concern. Defendant's disclosures were highly offensive to a
14 reasonable person.
15

16 8. As a result of the above violations of the FDCPA, RFDCPA and
17 invasion of privacy, Plaintiff suffered and continues to suffer injury to Plaintiff's
18 feelings, personal humiliation, embarrassment, mental anguish and emotional
19 distress, and Defendant is liable to Plaintiff for Plaintiff's actual damages,
20 statutory damages, and costs and attorney's fees.
21
22

23
24
25
26 **COUNT I: VIOLATION OF FAIR DEBT
27 COLLECTION PRACTICES ACT**
28

9. Plaintiff reincorporates by reference all of the preceding paragraphs.

1
2 **PRAYER FOR RELIEF**
3

4 WHEREFORE, Plaintiff respectfully prays that judgment be entered
5 against the Defendant for the following:
6

- 7 A. Declaratory judgment that Defendant's conduct
8 violated the FDCPA;
9 B. Actual damages;
10 C. Statutory damages;
11 D. Costs and reasonable attorney's fees; and,
12 E. For such other and further relief as may be just and proper.
13

14 **COUNT II: VIOLATION OF ROSENTHAL**
15 **FAIR DEBT COLLECTION PRACTICES ACT**

16 10. Plaintiff reincorporates by reference all of the preceding paragraphs.
17
18 11. To the extent that Defendant's actions, counted above, violated the
19 RFDCPA, those actions were done knowingly and willfully
20

21 **PRAYER FOR RELIEF**
22

23 WHEREFORE, Plaintiff respectfully prays that judgment be entered
24 against the Defendant for the following:
25

- 26 A. Declaratory judgment that Defendant's conduct
27 violated the RFDCPA;
28 B. Actual damages;
 C. Statutory damages for willful and negligent violations;

- 1 D. Costs and reasonable attorney's fees,
- 2 E. For such other and further relief as may be just and proper.

3 **COUNT III: COMMON LAW INVASION OF PRIVACY BY INTRUSION**
4
AND INVASION OF PRIVACY BY PUBLICATION OF PRIVATE FACTS

6 12. Plaintiff reincorporates by reference all of the preceding paragraphs.
7

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff respectfully prays that judgment be entered
10 against the Defendant for the following:
11

- 12 A. Actual damages
- 13 B. Punitive Damages; and,
- 14 C. For such other and further relief as may be just and proper.

15 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**
16

17 Respectfully submitted this 19th day of June, 2009.
18

19
20 By: s/Todd M. Friedman
21 **TODD M. FRIEDMAN (216752)**
22 **LAW OFFICES OF TODD M.**
23 **FRIEDMAN, P.C.**
24 **369 S. Doheny Dr. #415**
25 **Beverly Hills, CA 90211**
26 **Phone: 877 206-4741**
Fax: 866 623-0228
tfriedman@attorneysforconsumers.com
27 Attorney for Plaintiff
28

JS 44 (Rev. 12/07) (cand rev 1-16-08)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

COPY**I. (a) PLAINTIFFS**

JUDITH RUFFALO

DEFENDANTS

CREDITORS FINANCIAL GROUP, LLC

(b) County of Residence of First Listed Plaintiff Alameda
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

Todd M. Friedman, Law Offices of Todd M. Friedman, P.C.
369 S. Doheny Dr. #415
Beverly Hills, CA 90211
Phone: 877 206-4741**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

	PTF	DEF	PTF	DEF	
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury—Med. Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury—Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 450 Commerce	<input type="checkbox"/> 440 Deportation
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 850 Securities/Commodities/ Exchange	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 875 Customer Challenge
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus:	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 12 USC 3410
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 530 General	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input checked="" type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 891 Agricultural Acts
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 867 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 445 Amer. w/Disabilities Employment	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 877 Freedom of Information Act	<input type="checkbox"/> 895 Constitutionality of State Statutes
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 446 Amer. w/Disabilities Other	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 900Appeal of Fee Determination Under Equal Access to Justice	
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 950 Constitutionality of State Statutes	
<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
			<input type="checkbox"/> 462 Naturalization Application	
			<input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	
			<input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (Place an "X" in One Box Only)

- | | | | | | | |
|---|---|--|---|---|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 another district | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Judge from Magistrate Judgment |
|---|---|--|---|---|---|---|

Transferred from

(specify)

Appeal to District

Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 USC 1692

Brief description of cause:

Violation of the Fair Debt Collection Practice Act

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION DEMAND \$

UNDER F.R.C.P. 23

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No**VIII. RELATED CASE(S) IF ANY**PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE
"NOTICE OF RELATED CASE".**IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2)
(PLACE AND "X" IN ONE BOX ONLY)** SAN FRANCISCO/OAKLAND SAN JOSE

DATE

SIGNATURE OF ATTORNEY OF RECORD

6/19/04

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. **(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553
Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

 COPY

UNITED STATES DISTRICT COURT

for the

Northern District of California

E-filing

ADR

sc

JUDITH RUFFALO

Plaintiff)
v.
CREDITORS FINANCIAL GROUP, LLC

Defendant)

Civil Action No.

CO9-02823

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* CREDITORS FINANCIAL GROUP, LLC
c/o C T CORPORATION SYSTEM
3131 S. VAUGHN WAY STE 100
AURORA, CO 80014

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Todd M. Friedman
Law Offices of Todd M. Friedman, P.C.
369 S. Doheny Dr. #415
Beverly Hills, CA 90211

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

CLARA PIERCE

Date: _____

JUN 24 2009

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____

on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____

, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: